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7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case No. 2:20-CR-008-TLN-1
11)
Plaintiff,) **STIPULATION AND ORDER TO CONTINUE**
12) **STATUS CONFERENCE AND EXCLUDE TIME**
vs.)
13) Date: December 17, 2020
ROLAND HEATHINGTON,) Time: 9:30 A.M.
14) Judge: Hon. Troy L. Nunley
Defendant.)
15 _____)

16 IT IS HEREBY STIPULATED and agreed by and between United States Attorney
17 McGregor W. Scott, through Assistant United States Attorney Ross Pearson, counsel for
18 Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Jerome
19 Price, counsel for Defendant Roland Heathington, that the status conference currently set for
20 December 17, 2020 may be continued to **February 11, 2021 at 9:30 A.M.** The parties
21 specifically stipulate as follows:

- 22 1. By previous order, this matter was set for a status on December 17, 2020.
23 2. By stipulation, Mr. Heathington moves to continue the status conference to
24 February 11, 2021.
25 3. The government sent a proposed plea agreement to defense counsel on November
26 6, 2020 in addition to the discovery associated with this case which includes police reports, body
27 camera recordings, photographs, and various documents that have either been produced to the
28

1 defense or made available for inspection and copying.

2 4. Defense counsel represents that they require additional time to review and
3 consider the plea offer as well as review the discovery, investigate possible defenses and pretrial
4 motions, consult with Mr. Heathington, and explore potential resolutions to the case.

5 5. Defense counsel believes that failure to grant the requested continuance would
6 deny them the reasonable time necessary for effective preparation, taking into account the
7 exercise of due diligence.

8 6. The government does not object to the continuance.

9 7. Therefore, the parties stipulate that the ends of justice served by granting the
10 continuance outweighs the best interest of the public and Mr. Heathington in a speedy trial, and
11 request the Court so to find.

12 8. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial
13 Act), the parties request that the time period between December 17, 2020 and February 11, 2021
14 (inclusive) be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4),
15 because it would result from a continuance granted by the Court at Mr. Heathington's request,
16 based on a finding that the ends of justice served by granting the continuance outweighs the best
17 interest of the public and Mr. Heathington in a speedy trial.

18 Respectfully submitted,

19 HEATHER E. WILLIAMS
20 Federal Defender

21 Date: December 15, 2020

/s/ Jerome Price
22 JEROME PRICE
23 Assistant Federal Defender
Attorneys for Defendant
ROLAND HEATHINGTON

24 Date: December 15, 2020

MCGREGOR W. SCOTT
United States Attorney

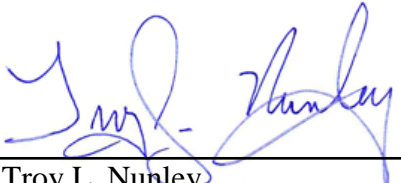
/s/ Ross Pearson
26 ROSS PEARSON
27 Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: December 15, 2020



Troy L. Nunley
United States District Judge